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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/889,500	10/05/2001	Wolfgang Ehrfeld	FMW-JJ-PCT-US	4111	
28862	7590 12/13/2002				
,	HUDAK, SHUNK & FARINE, CO., L.P.A. 2020 FRONT STREET SUITE 307			EXAMINER	
SUITE 307				MULLINS, BURTON S	
CUYAHOGA	A FALLS, OH 44221		ART UNIT	PAPER NUMBER	

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

,		Application No	Applica	nt(s)			
,		09/889,500	EHRFEI	_D ET AL.			
	Office Action Summary	Examiner	Art Unit				
		Burton S. Mullin	s 2834				
Period fo	The MAILING DATE of this communication r Reply	appears on the cove	r sheet with the correspon	dence address			
THE N - Exten after S - If the - If NO - Failur - Any re	DRTENED STATUTORY PERIOD FOR RIMALLING DATE OF THIS COMMUNICATION Sions of time may be available under the provisions of 37 CF SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days, period for reply is specified above, the maximum statutory pretore to reply within the set or extended period for reply will, by supply received by the Office later than three months after the rid patent term adjustment. See 37 CFR 1.704(b).	DN. FR 1.136(a). In no event, hown. a reply within the statutory mieriod will apply and will expiretatute, cause the application	ever, may a reply be timely filed nimum of thirty (30) days will be cons SIX (6) MONTHS from the mailing of o become ABANDONED (35 U.S.C	sidered timely. Jate of this communication. . § 133).			
1)⊠	1) Responsive to communication(s) filed on 05 October 2001 (preliminary amendment).						
2a) <u></u> □	This action is FINAL . 2b)⊠	This action is non-f	inal.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims							
4) 🖾	Claim(s) <u>1-8</u> is/are pending in the applicat	ion.					
4a) Of the above claim(s) is/are withdrawn from consideration.							
5)	5) Claim(s) is/are allowed.						
6)🛛	S)⊠ Claim(s) <u>1-8</u> is/are rejected.						
7) 🗌 🔻	Claim(s) is/are objected to.						
	Claim(s) are subject to restriction a	nd/or election require	ment.				
Application	on Papers						
	he specification is objected to by the Exan						
10)∐ T	he drawing(s) filed on is/are: a)□ a	accepted or b)☐ object	ed to by the Examiner.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)☐ The proposed drawing correction filed on is: a)☐ approved b)☐ disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12)☐ The oath or declaration is objected to by the Examiner.							
Priority u	nder 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a)[∑	a)⊠ All b)□ Some * c)□ None of:						
•	1. Certified copies of the priority documents have been received.						
2	2. Certified copies of the priority documents have been received in Application No						
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
14)∐ Ad	cknowledgment is made of a claim for dom	estic priority under 3	5 U.S.C. § 119(e) (to a pr	ovisional application).			
a)	☐ The translation of the foreign language cknowledgment is made of a claim for don	provisional applicati	on has been received.				
Attachment(_	·	- -				
2) Notice 3) Inform	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948 ation Disclosure Statement(s) (PTO-1449) Paper No		Interview Summary (PTO-413) Notice of Informal Patent Appli Other:				
S. Patent and Tra TO-326 (Rev		e Action Summary		Part of Paper No. 10			

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on September 19, 2001 has been considered by the examiner.

Drawings

3. Figures 1-13 are not in the case. Applicant is requested to submit new formal drawings. The requirement for corrected drawings will not be held in abeyance.

Specification

- 4. The disclosure is objected to because of the following informalities: In the "Brief Description of the Drawings" section, <u>each</u> figure, e.g. Figures 5a and 5b, 6a and 6b, etc., must be described.
- 5. On p.4, line 23 and p.7, line 15, change "<=" to --less than or equal to--. Appropriate correction is required.
- 6. The term "prestressing device" used throughout the specification to describe the flux-conducting ring 21 is objected to. While applicant may be his or her own lexicographer, a term may not be given a meaning repugnant to the usual meaning of that term. See *In re Hill*,

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161 F.2d 367, 73 USPQ 482 (CCPA 1947). As it stands, the adjective "prestressing" has no meaning. Its relation to the function of the flux-conducting ring 21 in the motor is vague at best. Instead, it appears to be a literal translation of the word "Vorspannung" (used in the original German application) in the context of electric current and voltage circuits. The examiner suggests replacing "prestressing device" with ---flux-return device--- or a similar phrase to more accurately describe the ring's function. See the attached copy of the term from the German-English technical dictionary.

Claim Rejections - 35 USC § 112

- 7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 8. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As described in the objection to the specification above, the term "prestressing" is vague and indefinite. While applicant may be his or her own lexicographer, a term in a claim may not be given a meaning repugnant to the usual meaning of that term.

 See *In re Hill*, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). The term "prestressing" in claims 1 and 3-8 does not describe the ring in any meaningful way. As explained by the examiner above, the term ----flux-return---- or a similar phrase more appropriately characterizes the ring.
- 9. In claim 3, the term "closed" is vague and indefinite. The ring is described as "annular." Is not an annular ring by definition "closed" in the sense that it forms a closed loop?

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- 10. In claim 4, "ring segment" is vague and indefinite. Does this mean a single annular ring comprises multiple "segments" or that an annular ring comprises a segment in its totality, with the implication being that there may be more than one ring?
- 11. In claim 5, recitation "opposite which the annular prestressing device is located in the radial direction" is vague, confusing and non-idiomatic language. Does applicant mean —an annular flux-return element located radially opposite the annular prestressing device—?

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Mueller et al. (US 4,164,690). Mueller teaches a fan motor (Fig.3) with an armature disk 59 rotatably mounted and provided with permanent magnets 30; a stator comprising a stator plate 11 and coils 27/28 wherein an annular soft-magnetic prestressing device (flux-return rings 26) is arranged concentrically on the stator plate in such a manner that at least one section of the prestressing device 26 is located below the coil window of the coils 27/28 in the axial direction (see Figs.3&9). Regarding claim 2, the stator plate is non-magnetic, GFK plastic material (c.2, line 31).

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Allowable Subject Matter

Page 5

14. Claims 5-8 would be allowable if rewritten to overcome the rejection(s) under 35

U.S.C. 112, second paragraph, set forth in this Office action and to include all of the

limitations of the base claim and any intervening claims. Regarding claim 5, as best

understood, Mueller and the prior art of record, alone or in combination, does not teach that

the stator flux-return ring is located radially opposite the rotor flux-return element.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

16. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Burton S. Mullins whose telephone number is 305-7063. The

examiner can normally be reached on Monday-Friday, 9 am to 5 pm. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be

reached on 308-1371. The fax phone numbers for the organization where this application or

proceeding is assigned are 305-1341 for regular communications and 305-1341 for After Final

communications. Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is 308-0956.

Burton S. Mullins Primary Examiner

Emmi

Art Unit 2834

bsm

December 11, 2002

"I shall not think my employment useless or ignoble if ... my labors afford light to the repositories of science."

-Dr. Samuel Johnson

GERMAN-ENGLISH

TECHNICAL AND ENGINEERING DICTIONARY

ВΥ

LOUIS DE VRIES

Professor of Modern Languages, Iowa State College

McGRAW-HILL BOOK COMPANY, Inc.
NEW YORK TORONTO LONDON
1950

ojecting.

priority, precedence, preeminence, superi-

and, in stock, in store, available. ~, in stock; aus ~, from stock. uply, store, provision, stock, spare parts,

ontents transmitter; -haufen, m. piling n; -felge, f. spare wheel rim; -flasche, f. supply bin; -bunker, m. bin; -fahrzeug, n. -gabelschaltung, f. spare terminating set; nel gauge); -behälter, m. stock bin, storf. spare wire; -anzeiger, m. contents in-

pare circuit, stand-by circuit; -lösung, f. , n. stock cable; -kondensator, m. tank servoir condenser; -lauf, m. spare barrel; -messer, m. contents or quantity oom, magazine, stockhouse; -röhre, le, f. delivery spool (wire-winding stockyard, store yard; -raum,

s, m. stock tank, storage tank; -tasche, orage pocket, storage bin; -trichter, m. pule, f. delivery spool (wire-winding mar; -zucker, m. stock sugar. a, f.pl. spares; -schrank, m. cupboard, . spare drum; -verstärker, m. -trichter, m.

intercom, outer chamber, antechamber, sines Unterstandes, antercom to a dug-

st diamond pass (in rolling).

prereaction; ~ im Brenngemisch, pre-

calculating, costing.

rivilege, prerogative, priority, exclusive

f. preliminary reduction, prereduction.

rough(ing) reamer.

aind beforehand, rough-ream

asten, m. aging hopper.

eliminary cleaning or purification.

preliminary inspection. raw or scribe, perforate.

device, fixture, arrangement, appliance, quipment, apparatus, mechanism, atsatlation, instrument, outift, preparaerstellung bestimmter Versuchsbedinioning device; ~ zur Steigerung des hillt device; ~ zur Verhütung des ul), rigging; einziehbare ~, retractable bedienende ~, easy-to-operate device; iribble device; Zusammenbau in einer ~, nonlinear device; zusätzliche device; che \sim ,

tory work; -arbeiter, m. drifter, stone-e, f. block gauge; -schmiegenlehre, f. schlaglehre, f. -urlehre, f. master gauge. go-no-go gauge; -ar-

t tube.

ation, f. series modulation, constant

, '5

vorrösten, to preroast.

Vorröstofen, m. preroasting furnace.

Vorröstung, f. preroast, preliminary roasting.

vorsagen, to prompt.

-spule, f. cathode-tube concentration coil.

Vorsatz, m. intention, design, plan, premeditation; ~ im metrischen System, prefix of the metric system; mit ~, deliberately, intentionally.

vice, head (motion pictures); -kuvette, f. light-filter converter, adapter (radio), attached or accessory trough; -läufer, m. intake fan, inlet fan,

premeditatedly; -e Beschädigung, sabotage.

system. -prisma, n. objective prism; -system, n. ancillary-lens

Vorschäler, m. jointer. Vorschacht, m. preliminary shaft, foreshaft.

Vorschalteleitung, f. trunk-junction circuit.

vorschalten, to connect in series, cut in circuit,

Vorschalt-funkenstrecke, f. series spark gap; -turbine, resistor, rheostat resistance, multiplier (of a volttopping turbine; -widerstand, m. series resistance,

Vorschaumer, m. flotation rougher.

Vorscheidepfanne, f. predefecation tank.

vorschieben, to feed (engin.).

Vorschiebung, f. feeding (engin.).

vorschiessen, to advance (money)

Vorschiff, n. forecastle.

Vorschlag, m. proposal, proposition, flux.

vorschlagbar, capable of being moved, dropped, let, or folded down on hinges.

vorschlagen, to propose, suggest.

Vorschleuse, f. entrance (upper or lower).

Vorschlicht-kaliber, n. first-finishing pass, leader, plan-

Vorschmiedegesenk, n. blanker, rougher

Vorschmieden, n. preliminary forging.

Vorschneideisen, n. taper die.

Vorschneidemesser, n. counterblade.

vorrücken, to advance, move forward, feed (forward), progress, step forward; zu weit ~, to overfeed.

Vorrücken, n. advance.

Vorsammel-linse, f. first-focusing lens, cathode lens

Vorsatz-blatt, n. end paper (bookbinding); -gerät,

vorsätzlich, intentional, deliberate, willful, purposely,

Vorsatz-linse, f. ancillary lens (phot.), front-lens attachment, magnascope; -papier, n. book lining paper;

vorscheiden, to predefecate.

Vorscheidung, f. predefecation, preliming.

Vorschein, m. appearance; zum \sim kommen, to appear,

Vorschlaghammer, m. sledge hammer, forehammer.

Vorschleifer, m. rough grinder.

Vorschleifen, n. rough grinding.

vorschiichten, to first-polish, first-finish,

Vorschliff, m. tough grinding. isher; -profil, n. first-finished section.

vorschmieden, to forge in the rough.

vorschneiden

vorschneiden, to make a first cut.

Vorschneider, m. (wire) cutter, taper tap (of a screwthreading device), knife cutter.

Vorschneidfräser, m. stocking cutter, roughing cutter. Vorschnitter, m. harvester ganger.

vorschreiben, to specify, prescribe.

vorschreibend, mandatory.

Vorschrift, f. regulation, prescription, instruction, provision, code, manual, rule, specification, direction; gesundheitspolizeiliche Vorschriften, department-oftions, instructions. health regulations; technische Vorschriften, specifica-

Vorschriftenbereich, m. range (of specifications).

vorschriftsgemäss, vorschriftsmässig, regulations or instructions, prescribed. forschrinken, to preshrink. according to

Worschrinkung, f. preshrinkage.

Vorschub, m. thrust, push, shear, throw, feed, help, assistance, furtherance, advance, traverse, conveyance; ~ geben, to feed; ~ leisten to afford assistance, selbsttätiger ~, power traverse; starker ~, coarse lend a hand, promote, support; geringer \sim , fine feed:

Vorschub-kinderung, f. change of feed; -daumen, m. spacing cam; -einrichtung, f. feeder, feeding device; -getriebe, m. feed gear, advance gear; -handrad, m. hand-feed wheel; -klinke, f. feed pawl; -kraft, f. feeding power; -kuppelungshebel, m. feed-clutch lever; kurve, f. feed cam.

Vorschub-magnet, m. feeding magnet, spacing magnet; -mechanismus, m. advance mechanism, feeding device; -patrone, f. feed chuck; -rad, n. feed wheel; -räderkasten, m. feed gear box; -regeiung, f. feed adjuster; -regler, m. feed regulator.

Vorschubrichtung, f. feed direction; entgegengesetzt zur ~ zurückziehen, to feed back.

Vorschub-spannung, f. feed voltage; -spindel, f. feed screw; -stift, m. feed pawl, feed pin, feed bolt; -umkehrhebel, m. feed reverse lever; -wechsel, m. feed change; -welle, f. feed rod; -zahnrad, n. feed gear; -zahnstange, f. feed rack; -zylinder, m. feed cylinder.

Vorschuss, m. deposit, money advanced, advance; -kappe, f. fuse cap, dust excluder; -zahlung, f. pay-

Vorschuh, m. clip, welt.

vorsehen, to provide for.

vorseitig, on the previous page.

Vorsicht, f. care, caution, prudence, foresight, precau-Vorselektion, f. preselection (radio), assigned frequency.

vorsichtig, cautious, careful.

Vorsichtsmassregel, f. safety order, precautionary

Vorsieb, n. forescreen.

Vorsignal, n. presignal, warning signal, first or outer marking signal, caution signal.

vorsintern, to presinter, semisinter.

Vorsorge, f. foresight, early attention. Vorsitzender, m. foreman, chairman.

vorspannen, to bias (elec.); eine Lokomotive ~, to put Vorspann, m. team of horses, label (of print), leader (of an additional locomotive to

Vorspannprogramm, n. prologue.

Vorspannung, f. grid potential, initial stress, polarizing potential, priming, initial or biasing potential, bias, prestressing, residual stress, bias voltage (rectifier), sion in the spring; ~ erteilen, to bias; einseitige ~, bias; magnetische ~, magnetic polarization, magnetic off biasing potential. bias; negative ~, negative bias; verriegelnde ~, cutcompression spring; \sim der Feder, initial stress or ten-

Vorspektrum, n. preliminary spectrum.

Vorsperre, f. auxiliary dam, Vorspiel, n. prelude.

vorspinnen, to slub, rove.

Vorspinnen, n, slubbing, roving.

Vorspinner, m. preparer.

Vorspinnmaschine, f. stretching mule, billy (wool mfg.),

fly frame, drawing frame.

vorspringen, to project, protrude, be salient or promivorsprechen, bei jemandem \sim , to call on a person.

vorspringend, salient, projecting.

Vorsprung, m. projection, shoulder, boss, salient, lead, head start, overhang, key, tenon, tab, advance, protrusion, prominence, bump, dent; ~ eines Nockens, lobe, projection of a cam.

Vorstadt, f. suburb.

vorstädtisch, suburban.

einer Gesellschaft, chairman of the board. directorate, managing committee; ~

Vorstauch-apparat, m. upsetting device; -stempel, m. top header, first upsetter.

worstechen, to pierce.

Vorstechmaschine, f. punching machine,

vorstecken, to plug in.

Vorstecker, m. tension lock (fuse), fuse safety pin, n. joint hinge with pin or peg. bradawl, pawl, cotter, cotter pin, pin; -scharnierband,

Vorsteck-keil, m. cotter (pin); -riemen, m. protective strap; -scheibe, f. take-up washer, U washer, C washer, -splint, m. cotter split pin; -stift, m. stop or locking pin, cotter pin (taper).

vorstehen, einer Firma ~, to manage or represent a

Vorstein, m. breakdown die. vorstehend, projecting, aforesaid, preceding, pending

vorstellen, to advance, introduce; sich ~, to realize, conceive, introduce oneself.

Vorstellen, n. advance (magnet).

Vorstellung, f. introduction, performance (of a play), pression of space. idea, advance, mental picture, conception, notion, representation, demonstration, display; răumliche \sim , im-

Vorsteuerung, f. anticipatory control

Vorsteven, m. stem.

Vorstimmer, m. tuner. Vorstich, m. roughing pass, breaking-down pass, shaping pass, blooming pass, cogging pass.

Vorstoff, m. raw material, semifinished goods.

Vorstoss, m. thrust, push, piping (on uniform), adapter, advance, assault, lunge, edging, lap, projection, lug.